GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Home Dept., – Allegation of corruption against Sri M.A.Majeed, former Sub Inspector of Police, III Town, Nandyal PS, Kurnool District - Entrusted to TDP – Charge Proved - Punishment of dismissed from service imposed – Orders of Hon'ble High Court in WP No.10516/2005, dated 06.07.2022 – Decided to implement the orders of Hon'ble High Court of AP – Cancellation of Dismissal orders and release of all consequential benefits –Orders – Issued

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HOME (SC.A) DEPARTMENT

G.O.Ms.No.23,

Dated:08.02.2023.
Read the following:

1. The Director General, ACB, AP, Lr.Rc.No.156/RCT-KUR/96, dt.13.11.1997.
2. Govt. Letter No.30/SC.A-3/1997-8, dt.06.04.1998.
3. From Tribunal for Disciplinary Proceedings in TEC No. 21/1998, dt.24.04.2000
4. G.O.Ms.No.45, Home(SC.A) Dept., dt.24.02.2001.
5. Orders of Hon'ble High Court dated 06.07.2022 in WP No.10516/2005 filed by Sri M.A.Majeed, former SIoP, Kurnool.
6. From GP for Service-I, Home Dept., Hon'ble High Court of A.P., Amaravati, Lr.WP.No.10516/2005/NAN/SER.I/HC, dt.14.07.2022.

(****)

ORDER:-

Based on the recommendation of Director General, Anti Corruption Bureau, A.P. in the reference 1st read above, the case of AO.1 Sri M.A.Majeed, SI of Police, (f) III Town, Nandyal PS, Kurnool District and A.O.2 Sri M.Mahaboob Basha, Constable, (f) Mahanandi PS, Kurnool District have been entrusted to TDP vide Letter No.30/SC.A-3/1997-8, dt.06-04-1998 on the allegation of corruption.

2. In the reference 3rd read above, the Tribunal for Disciplinary Proceedings in TEC No. 21/1998, dated 24-04-2000 has reported that "the Charged Officer (Sri M.A.Majeed, SI of Police, Kurnool District) is found guilty of the charge framed against him in the meaning of Rule 2(b) of A.P. Civil Services(Disciplinary Proceedings Tribunal) Rules, 1989 framed under the APCS(Disciplinary Proceedings Tribunal) Act, 1960 as amended by the APCS(Disciplinary Proceedings Tribunal) Act, 1993.

3. Based on the report of TDP in TEC No. No.21/1998, and after following the due procedure, in the reference 4th read above Government have issued orders for imposing the punishment of "Dismissal from Service" against Sri M.Mahaboob Basha, Constable, (f) Mahanandi PS, Kurnool District.

4. Aggrieved by the above orders, Sri M.A.Majeed, SIoP has filed O.A and the APAT in its orders dated 02.05.2003 in OA No. 8752/2001 has ordered that "the OA is held as devoid of merits and accordingly dismissed. And also aggrieved by the APAT orders, Sri M.A.Majeed, SI of Police, (f) III Town, Nandyal PS, Kurnool District has filed W.Ps No.10516/2005 in the Hon'ble High Court of A.P.

5. The Hon'ble High Court in its judgment in WP No.10516/2005 dated 06.07.2022 filed by Sri M.A.Majeed, SI of Police, (f) III Town, Nandyal PS, Kurnool District (under dismissal) has ordered as follows:

> For the aforesaid reasons, this Writ Petition is allowed, setting aside the orders of the Andhra Pradesh Administrative Tribunal in O.A.No.8572 of 2002 dated 02.05.2003 and the orders of punishment passed by the State Government, vide G.O.Ms.No.45 Home (SC-A) Department dated 24.02.2001, concurring with the views expressed by the Tribunal for Disciplinary Proceedings in Tribunal Enquiry Case No.21 of 1998 and the orders of the Deputy Inspector

General of Police, Kurnool, dated 24.03.2001 and consequently, the respondents are directed to extend the petitioner all the consequential benefits, including seniority, periodical promotions and pay all the back wages to the petitioner. This entire exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

As a sequel, interlocutory applications, if any, pending in this Writ Petition, shall stand closed. There shall be no order as to costs of the Writ Petition.

6. Government, after careful examination of the matter, have decided to implement the orders of the Hon'ble High Court and to cancel the dismissal orders issued in vide G.O.Ms.No.45, Home(SC.A)Dept., dt.24.02.2001 and also to release all the consequential benefits to the individual. Accordingly, Government hereby order to repeal the orders of dismissal against Sri M.A.Majeed, former Sub Inspector of Police, III Town, Nandyal PS, Kurnool District issued vide G.O.Ms.No.45, Home (SC.A) Dept., dt.24.02.2001. Consequently he shall be deemed to have been reinstated into service w.e.f 24.02.2001 i.e. from the date of dismissal. Govt. hereby direct to release all consequential benefits as per rules, subject to outcome of further legal proceedings.

7. Government direct that under the provisions of FR 54, the period intervening from the date of suspension to the date of dismissal in respect of Sri M.A.Majeed, former Sub Inspector of Police, Kurnool District shall be treated as not on duty.

8. The Director General of Police, AP, Mangalagiri shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

HARISH KUMAR GUPTA,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
Sri M.A.Majeed, former SI of Police, III Town, Nandyal PS, Kurnool District
through Director General of Police, AP, Mangalagiri.
The Director General of Police, AP, Mangalagiri.
Copy to:
The Director General, ACB, AP, Vijayawada.
The Deputy Inspector General of Police, Kurnool Range, Kurnool.
The Superintendent of Police, Kurnool District, Kurnool.
The Pay and Accounts Officer, Vijayawada.
The Accountant General, AP, Vijayawada.
The Director of Treasuries and Accounts, AP, Vijayawada
The Government Pleader for Service-I, Home Dept.,
Hon'ble High Court of A.P., Amaravati.
SC/SF

//FORWARDED :: BY ORDER//

K. Padmavathi
SECTION OFFICER(SC)